



I N D E X

Re-            Re-            By

Cross dir

E X H I B I T S

Identificat

1

2 JUDGE MORAN: Pursuant to the direction of the  
3 Illinois Commerce Commission, I call Docket 05-0623.  
4 This is Maurice Perkins care of Inner City Youth  
5 Foundation, Inc. versus the Peoples Gas Light and  
6 Coke Company. It is a complaint as to billing,  
7 slash, charges in Chicago, Illinois.

8 May I have the appearances for the  
9 record, please.

10 You can start, sir. Please give your  
11 name, your address and your telephone number.

12 MR. MAURICE PERKINS: My name is Maurice,  
13 M-a-u-r-i-c-e, Perkins, P-e-r-k-i-n-s. I'm at 4500  
14 South Michigan Avenue, Chicago, Illinois 60653. My  
15 phone is (773) 624-0803.

16 JUDGE MORAN: Okay. And you are the complainant?

17 MR. MAURICE PERKINS: Yes, ma'am, I am.

18 MR. GOLDSTEIN: On behalf of the Peoples Gas  
19 Light and Coke Company, Mark L. Goldstein, 108  
20 Wilmot Road, Suite 330, Deerfield, Illinois 60015.  
21 My telephone number is (847) 580-5480. And I have  
22 with me today Brian Schmoldt, that's

1 S-c-h-m-o-l-d-t,

2 from Peoples Gas.

3 JUDGE MORAN: Okay. This is a complaint case. I  
4 have a copy of the formal complaint in front of me  
5 and certain attachments thereto.

6 Are you gentlemen meeting for the first  
7 time?

8 MR. GOLDSTEIN: Yes.

9 JUDGE MORAN: Mr. Goldstein and Mr. Perkins?

10 MR. GOLDSTEIN: Yes, we are.

11 MR. MAURICE PERKINS: Yes, ma'am.

12 JUDGE MORAN: Okay. If there's no objection,  
13 this is the way I'd like to proceed. I believe that  
14 you are familiar with the matters alleged in your  
15 complaint, Mr. Perkins.

16 I believe also that, Mr. Goldstein, you  
17 have reviewed the documents?

18 MR. GOLDSTEIN: Yes.

19 JUDGE MORAN: I would like to leave the room at  
20 this time and allow you to discuss the allegations  
21 of the complaint and to determine if there's any way  
22 that it could be resolved today or if you can work

1 together to frame the issues, if we need to go  
2 further, if there's any informal discovery matters  
3 that can be worked out; and that's the way I'd like  
4 to proceed.

5                   Is that okay?

6       MR. MAURICE PERKINS: Yes, ma'am.

7       MR. GOLDSTEIN: It's perfectly fine with Peoples  
8 Gas. I would just point out two things --

9       JUDGE MORAN: Okay.

10      MR. GOLDSTEIN: -- for the record. First of all,  
11 Inner City Youth Foundation, Inc., is the customer  
12 of record. I assume it's an Illinois not-for-profit  
13 corporation and Mr. Perkins, I do not believe, is an  
14 attorney and he would have to have an attorney  
15 represent him before the Commission in this matter.

16                   And, second, which is not really sort of  
17 a -- it's a comment, it's obvious, even from  
18 Mr. Perkins' complaint, that part of the building  
19 here involves Santana Energy Services and -- as his  
20 alternative supplier. And, you know, we have no  
21 control over that portion of the bill. So I assume  
22 that --

1 JUDGE MORAN: So you're thinking that Santana  
2 needs to be made a party to this case?

3 MR. GOLDSTEIN: I don't -- I'm not -- that's up  
4 to Mr. Perkins.

5 JUDGE MORAN: Okay. Mm-hmm.

6 MR. GOLDSTEIN: I can't tell him how to handle  
7 his own complaint.

8 MR. MAURICE PERKINS: Well, may I speak?

9 MR. GOLDSTEIN: Sure.

10 JUDGE MORAN: Sure.

11 MR. MAURICE PERKINS: Well, your Honor, it -- we  
12 thought that when we were getting Santana that we  
13 were basically getting a new supplier.

14 JUDGE MORAN: Okay.

15 MR. MAURICE PERKINS: Now -- a new supplier.

16 JUDGE MORAN: Mm-hmm.

17 MR. MAURICE PERKINS: Now, we found out that it  
18 was -- it had something to do with the lines and  
19 something to do with the delivery service and then  
20 we found out we had two people getting two billings.

21 Now, you know --

22 JUDGE MORAN: What do you mean you had two people

1 getting two billings? Who are the two --

2 MR. MAURICE PERKINS: Okay. We had two  
3 companies --

4 JUDGE MORAN: Okay.

5 MR. MAURICE PERKINS: We had two companies asking  
6 for two separate amounts of money.

7 JUDGE MORAN: Okay. And those two companies  
8 were. . .?

9 MR. MAURICE PERKINS: Were Peoples and Santana.

10 JUDGE MORAN: Okay.

11 MR. MAURICE PERKINS: Now, we found out that what  
12 Santana is asking for is exactly the overage minus  
13 40 percent on what we paid last year.

14 So we felt like we had added the 40  
15 percent in they were asking and we felt like now we  
16 had two companies to pay. So that was a dilemma for  
17 us. Now, after talking with Peoples Gas, I talked  
18 to a Mr. Reardon. We've been working together over  
19 the last ten years at that property.

20 Now, Mr. Reardon says to me -- he says,  
21 Okay, Perkins, you actually owe us \$5,100. He said,  
22 you actually owe us \$5,100 and the other money you

1   owe Santana.   So he says, If we can hold you  
2   accountable for the \$5,100 and you deal with Santana  
3   as a separate issue -- I told him, Fine, because I  
4   don't -- at this time have no gas.

5                   Now, we called and we talked to him --  
6   and they said, Bring us a thousand dollars, we'll  
7   put you on a payment plan -- three weeks ago.   Okay.  
8   We were a day late bring them a thousand dollars and  
9   the payment plan was no longer available by us being  
10  a day late, okay.

11                   So we're trying to resolve it and I  
12  understand to be under oath so everything I'm saying  
13  here has been, you know, said --

14       JUDGE MORAN:   Okay.   I'm just treating this as  
15  background information --

16       MR. MAURICE PERKINS:   Right.

17       JUDGE MORAN:   -- and not as testimony.   I'm just  
18  trying to get to the posture of this case more  
19  than --

20       MR. MAURICE PERKINS:   Because see -- see, I want  
21  to simplify it as much as possible, too, because I  
22  don't have an attorney and I understand that there



1 may be one required; but if I could give you just a  
2 couple more minutes of this.

3 JUDGE MORAN: Okay. Well, let me ask a few  
4 questions --

5 MR. MAURICE PERKINS: Sure.

6 JUDGE MORAN: -- because right now I'm getting  
7 off track and a lot of this is not being clear to  
8 me.

9 MR. MAURICE PERKINS: All right.

10 JUDGE MORAN: The complaint reads Maurice Perkins  
11 care of Inner City Youth Foundation, Inc. Who has  
12 the service? Is it you or is it Inner City Youth?

13 MR. MAURICE PERKINS: Well, I -- that would be --

14 JUDGE MORAN: And what is your role? Are you  
15 the --

16 MR. MAURICE PERKINS: I'm the founder. I'm the  
17 founder --

18 JUDGE MORAN: Okay.

19 MR. MAURICE PERKINS: -- and president of Inner  
20 City Youth Foundation.

21 JUDGE MORAN: Okay.

22 MR. MAURICE PERKINS: It was incorporated in 1974

1 as a not-for-profit in Illinois.

2 JUDGE MORAN: Okay.

3 MR. MAURICE PERKINS: So we've been doing this

4 work for a while.

5 JUDGE MORAN: Okay.

6 MR. MAURICE PERKINS: And I guess we're, like,

7 interchangeable. Even -- you know, even on the tax

8 bill they say Inner City Youth Foundation/Maurice

9 Perkins.

10 JUDGE MORAN: Okay. All right. You're the

11 founder and current president?

12 MR. MAURICE PERKINS: Yes, ma'am.

13 JUDGE MORAN: Okay. Now, is it required for

14 not-for-profit corporations to have attorneys in all

15 cases? Is that your understanding, Mr. Goldstein?

16 MR. GOLDSTEIN: It's a corporation. It's an

17 Illinois corporation.

18 JUDGE MORAN: I understand that it's a

19 corporation.

20 MR. GOLDSTEIN: There's no differentiation

21 between for profit, not-for-profit under the Act as

22 far as I can tell.

1 JUDGE MORAN: Okay. Well, for my purposes, do  
2 you have an attorney that's aligned with your  
3 not-for-profit?

4 MR. MAURICE PERKINS: No, your Honor. We don't  
5 have an attorney and we've got, like, one full-time  
6 employee. So, you know, we're just -- you know,  
7 we're not a big roll plus operation. That's why --  
8 I'm not down here to complicate things. And when  
9 you said me and the attorney might be able to enter  
10 into a discussion, you know, I'm not -- you know,  
11 I'm not -- you know, I'm not -- you know. . .

12 JUDGE MORAN: Okay. All right. Mr. Goldstein.

13 MR. GOLDSTEIN: Yes.

14 JUDGE MORAN: I'm going to ask you and  
15 Mr. Perkins to still talk about this case.

16 MR. GOLDSTEIN: Yes.

17 JUDGE MORAN: I'm also going to see how far you  
18 can get in your discussions without having someone  
19 here from Santana. Okay.

20 MR. GOLDSTEIN: What I'd like to do is see if we  
21 could reach a point where we could connect back --

22 JUDGE MORAN: Right.

1 MR. GOLDSTEIN: -- Inner City Youth's gas service  
2 and go from there.

3 JUDGE MORAN: Okay. That would be lovely.

4 MR. MAURICE PERKINS: And, your Honor, we -- you  
5 know, our bills are like maybe substantial; but, you  
6 know, every year we usually go out and try to make a  
7 smaller loan to make it even with your company. You  
8 know, we know we don't really have the resources to  
9 deal with it; but every year we've went out, you  
10 know, and try to wipe it out.

11 JUDGE MORAN: Okay. Well, why don't the two of  
12 you or the three of you discuss this as much as you  
13 can.

14 MR. MAURICE PERKINS: Okay.

15 MR. GOLDSTEIN: Yeah.

16 JUDGE MORAN: And see if something can be reached  
17 or resolved or at least have the issues narrowed.  
18 Okay.

19 And I'm going to leave the room. The  
20 court reporter will leave the room also. And you  
21 know where you can find me in my office. Okay.

22 (Whereupon, a discussion

1                               was had off the record.)

2       JUDGE MORAN:   Okay.   We're back on the record.

3                               And the parties have had an opportunity  
4 to talk?

5       MR. GOLDSTEIN:   Yes, we have, Judge.   For the  
6 record, I'd like to state what our proposal is to  
7 Mr. Perkins.

8       JUDGE MORAN:   Okay.

9       MR. GOLDSTEIN:   We have proposed that he pay one  
10 half of what we believe is the outstanding balance  
11 on his account.

12                           There is some question as to what that  
13 balance is because there is some confusion between  
14 what Santana Energy Services billed and what Peoples  
15 Gas billed as the distribution -- as the  
16 distribution company.

17                           We will work with Mr. Perkins to  
18 determine what is owed to each.   We can't state for  
19 the record that Mr. Perkins has been terminated by  
20 Santana Energy Services and so. . .

21       JUDGE MORAN:   He has?

22       MR. GOLDSTEIN:   He has.

1 JUDGE MORAN: Okay.

2 MR. GOLDSTEIN: And more than 60 days  
3 have -- has elapsed. Mr. -- we would propose -- we  
4 propose to Mr. Perkins that his new gas supplier be  
5 Peoples Gas. On that basis Peoples Gas would put  
6 him on a payment plan for whatever that other half  
7 of the balance is and to make sure that he pays his  
8 monthly bills. If he has a good enough record on  
9 that basis, after a time, we would obviously put him  
10 on a budget payment plan.

11 JUDGE MORAN: Okay.

12 MR. GOLDSTEIN: We need approximately 30 days to  
13 make sure that the billing is correct and for  
14 Mr. Perkins to raise the money to pay whatever that  
15 one half of the balance owed is.

16 JUDGE MORAN: The balance is, okay.

17 MR. MAURICE PERKINS: Yes, sir.

18 MR. GOLDSTEIN: I believe I've correctly stated  
19 our proposal.

20 MR. MAURICE PERKINS: Yes, sir, you have and,  
21 your Honor, I'm in full agreement with that and I  
22 think it works for me as well.

1 JUDGE MORAN: Okay. Oh, good. That's really  
2 good.

3 Okay. So hopefully you guys will be able  
4 to execute that proposal and you're asking for  
5 another date, 30 days?

6 MR. GOLDSTEIN: Yes.

7 JUDGE MORAN: Okay. Let's see. Why don't you  
8 guys propose a date for me.

9 MR. GOLDSTEIN: Any date between -- starting the  
10 week of November 21st.

11 JUDGE MORAN: Okay.

12 MR. GOLDSTEIN: That week.

13 JUDGE MORAN: All right.

14 MR. GOLDSTEIN: Thanksgiving is the 24th.

15 JUDGE MORAN: Right. I'm well aware of turkey  
16 day.

17 I know I have something on the 21st. How  
18 about the 22nd? Would that work?

19 MR. GOLDSTEIN: That's fine.

20 MR. MAURICE PERKINS: That's fine.

21 JUDGE MORAN: Okay. Would that work. That would  
22 work.

1                   And what time?

2       MR. GOLDSTEIN: 10:00 o'clock.

3       JUDGE MORAN: 10:00 o'clock. Okay.

4                   Okay. I guess we will continue this

5 matter to November 23rd at 10:00 a.m.

6       MR. GOLDSTEIN: 22nd.

7       JUDGE MORAN: I'm sorry. We will continue this

8 matter to November 22nd at 10:00 a.m.

9                   I would also like to commend the parties

10 for being able to discuss this matter and to be able

11 to work out a proposal or a plan for resolving their

12 dispute. Thank you.

13       MR. GOLDSTEIN: Thank you very much.

14                   (Whereupon, the above-entitled

15                   matter was continued to

16                   November 22, 2005, at 10:00 a.m.)

17

18

19

20

21

22